

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7613 of 1995

AKSHATA COOPERATIVE HOUSING SOCIETY LTD

Versus

STATE OF GUJARAT & ANOTHER

Appearance:

MR AR MAJMUDAR for Petitioner

MR MUKESH PATEL AGP BY DS for Respondent No. 1, 2

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 19/08/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed off accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

6. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

7. It merely requires to be noted on the basis of the record of the present petition that it is not in

dispute that exemption under section 20 was granted to the original land holders for whom the petitioner has purchased the land. It is also not in dispute that what is challenged in the petition is a show cause notice at Annexure B. From the record of the petition, it does not appear as if any further action on the basis of Annexure B has been taken. It therefore follows that by virtue of section 4 of the Repeal Act, not only the present petition would abate but the proceedings which were contemplated by the show cause notice at Annexure B would also abate.

(Y.B. BHATT, J.)

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